

U.S. Serial No. 09/528,025 E

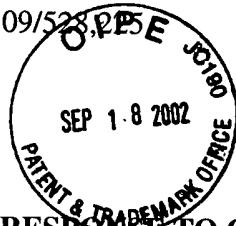


EXHIBIT A

**COPY OF RESPONSE TO OFFICE ACTION DATED 06 NOVEMBER 2001 AND
CERTIFICATE OF FIRST CLASS MAILING**



RECEIVED

Docket No. 21

SEP 20 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wang

TECH CENTER 1600/2900

Serial No: 09/528,225

Examiner: Saoud, C.

Filed: March 21, 2000

Group: 1647

For: Chimeric Proteins For Diagnosis And Treatment Of Diabetes

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

Date of Deposit: November 20, 2001

I hereby certify that the following:

- This Certificate of Mailing
- Response to Restriction Requirement
- Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Carolynn Wise
Carolynn Wise

Mark Farber
C/O
Alexion Pharmaceuticals, Inc.
352 Knotter Drive
Cheshire, CT 06419



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: **Chimeric Proteins For Diagnosis And Treatment Of Diabetes**

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE

Sir:

In response to the Office Action mailed November 6, 2001 in connection with the above referenced application, please consider the following remarks.

REMARKS

Applicants elect to prosecute the claims of group 1, claims 1-15.

Despite the election, applicants traverse the restriction requirement. It is respectfully submitted that the Examiner should reconsider the election of species requirement in view of the fact that the separate classification of the subject matter under the classification system of the United States Patent and Trademark Office is not conclusive proof of divisibility and further that the entire application must be examined as a whole when there would not be a serious burden on the Examiner. The fields of search are believed to be co-extensive for the three groups identified by the Examiner.

The Examiner is invited to contact the undersigned should he believe this would expedite prosecution of this application.

Respectfully submitted,

Date: 11 / 19 / 01



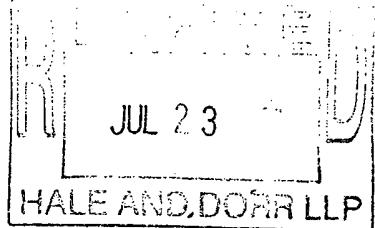
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FROM: Mark Farber

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